IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ROTHSCHILD PATENT IMAGING LLC,	§ §	
Plaintiff,	§ §	Case No:
vs.	§ §	PATENT CASE
ON-NET SURVEILLANCE SYSTEMS, INC.,	§ § §	
Defendant.	§ § §	
_____	§	

COMPLAINT

Plaintiff Rothschild Patent Imaging LLC ("Plaintiff" or "RPI") files this original Complaint against On-Net Surveillance Systems, Inc. ("Defendant" or "On-Net") for infringement of United States Patent No. 8,204,437 ("the '437 Patent").

PARTIES AND JURISDICTION

1.   This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2.   Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3.   Plaintiff is a Texas limited liability company having a virtual office with an address at 1400 Preston Rd., Suite 400, Plano, TX 75093.

4.   On information and belief, Defendant is a New York corporation, with its principal place of business at One Blue Hill Plaza, 7th Floor, PO Box 1555, Pearl River, NY 10965.

5.   On information and belief, this Court has personal jurisdiction over Defendant

because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6.   On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7.   Venue is proper in this District pursuant to 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this district. In addition, and in the alternative, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO 8,204,437)

8.   Paragraphs 1-7 are incorporated herein.

9.   This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, et seq.

10.   Plaintiff is the owner by assignment of the '437 Patent with sole rights to enforce the '437 patent and sue infringers.

11.   A copy of the '437 Patent, titled "Wireless Image Distribution System and Method," is attached hereto as Exhibit A.

12.   The '437 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13.   On information and belief, Defendant has infringed and continues to infringe one or more claims (at least by having its employees, or someone under Defendant's control, test the accused product), including at least Claim 1 of the '437 Patent by making, using, importing,

selling, and/or offering for mobile security camera systems and methods drone cameras covered by at least Claim 1 of the '437 Patent.

14.   On information and belief, Defendant sells, offers to sell, and/or uses mobile security camera systems and methods, including, without limitation the Ocularis system, the Ocularis 5 mobile app, and any similar devices ("Product"), which infringe at least Claim 1 of the '437 Patent.

15.   The Product is a mobile security camera system that can transmit images to and/from a mobile device over wireless network. For example, the Product can transmit images captured by a camera and/or stored on a smartphone, server, or other device. Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

https://itunes.apple.com/us/app/ocularis-5-mobile/id1155946752?mt=8

OCULARIS MIX & MATCH

With Ocularis, users can use multiple different
recorders under the same Base, allowing them
to tailor their system to meet their exact needs.
Legacy Ocularis systems can be easily expanded
using Mix & Match without having to upgrade the
entire system.

https://onssi.com/downloads/product_documentation/5.5/Ocularis5_SpecSheet_ULT_v5.5.pdf

Key Features:
· View live or recorded video from your Ocularis system on your mobile device
· Control PTZ cameras directly from Ocularis 5 Mobile including the use of presets
https://itunes.apple.com/us/app/ocularis-5-mobile/id1155946752?mt=8

16.   The Product includes an image capturing device (e.g., a surveillance camera) and

a receiving device (e.g., smartphone with installed Ocularis 5 mobile app, and which has a Wi-

Fi/802.11b/g/n receiver antenna). Certain aspects of this element are illustrated in the screen

shots below, and/or the screen shots provided in connection with other elements discussed

herein.

OCULARIS MIX & MATCH

With Ocularis, users can use multiple different recorders under the same Base, allowing them to tailor their system to meet their exact needs. Legacy Ocularis systems can be easily expanded using Mix & Match without having to upgrade the entire system.

https://onssi.com/downloads/product_documentation/5.5/Ocularis5_SpecSheet_ULT_v5.5.pdf
https://itunes.apple.com/us/app/ocularis-5-mobile/id1155946752?mt=8
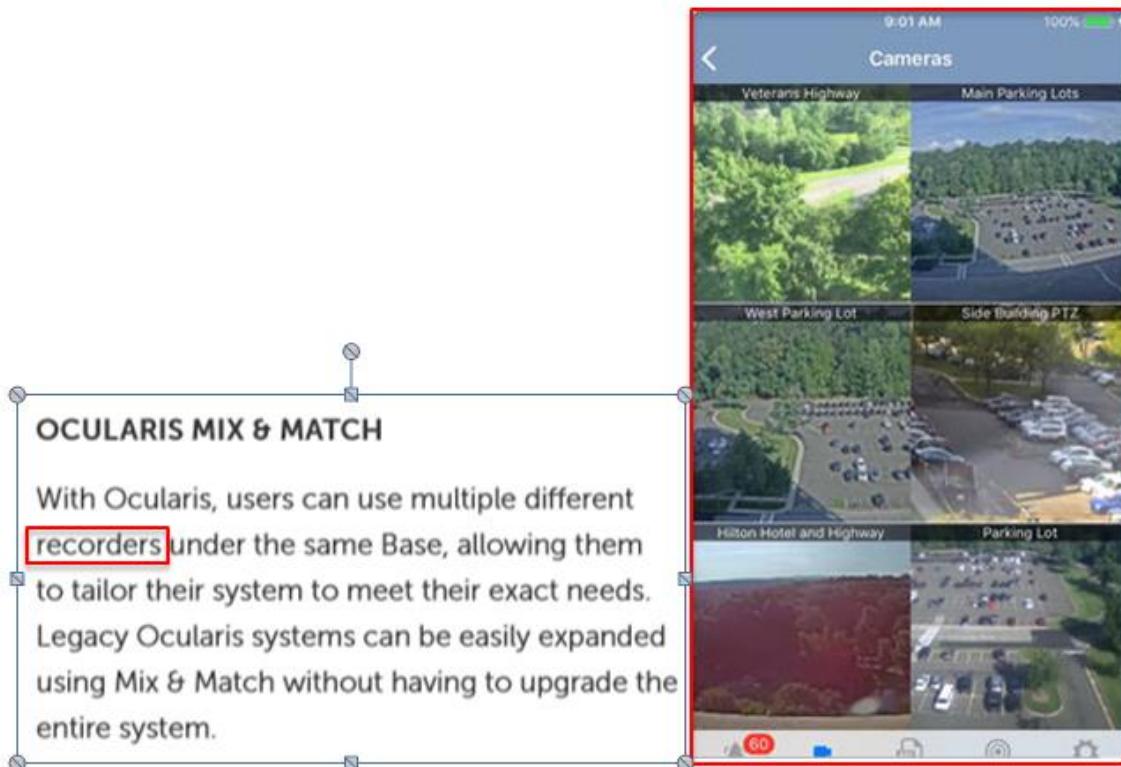
17.   The capturing device and receiving device are cooperatively disposed in a communicative relation with one another via at least one wireless network. For example, the Product includes a capturing device (e.g., security camera) and a receiving device (e.g., a smartphone with the mobile app) being cooperatively disposed in a communicative relation with one another via at least one wireless network (e.g., both the camera and a user's smartphone are connected to the same Wi-Fi network allowing for image transfer and live streaming through the Wi-Fi network). The receiving device can live stream, through a 3G/4G/Wi-Fi network, images transmitted by the image capturing device. Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

When an Ocularis user logs in with Ocularis 5 Web, they are directly connected to the Ocularis Media Server. The Ocularis Media Server relays the user credentials to the Ocularis Base. The Ocularis Base then authenticates the user and initiates a permissioned video stream between the appropriate recorder and the Ocularis Media Server. At that point, the video stream is point to point between the Ocularis Media Server and the recorder. The Ocularis Media Server provides the appropriate video stream to the client to best utilize the bandwidth and resources available to the individual clients including 3G/4G networks).

https://onssi.com/downloads/product_documentation/5.5/Ocularis5_SpecSheet_ULT_v5.5.pdf
https://itunes.apple.com/us/app/ocularis-5-mobile/id1155946752?mt=8

18.   The capturing device has a capture assembly that is structured to selectively capture the at least one digital photographic image. For example, the capturing device (e.g., security camera) has a capture assembly (e.g., a camera assembly), and the capture assembly is structured to selectively capture the at least one digital photographic image (e.g., the Product's camera assembly is able to capture digital images, record video, and capture still image frames from video). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

OCULARIS MIX & MATCH

With Ocularis, users can use multiple different recorders under the same Base, allowing them to tailor their system to meet their exact needs. Legacy Ocularis systems can be easily expanded using Mix & Match without having to upgrade the entire system.

https://onssi.com/downloads/product_documentation/5.5/Ocularis5_SpecSheet_ULT_v5.5.pdf

19.   The capturing device also has a first network component (e.g., Wi-Fi module within the camera). The first network component is structured to communicate the at least one digital photographic image (e.g., images captured by the Product) to the receiving device (e.g., smartphone with mobile app) via the at least one wireless network (e.g., e.g., live streaming over a 3G/4G/Wi-Fi network). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

When an Ocularis user logs in with Ocularis 5 Web, they are directly connected to the Ocularis Media Server. The Ocularis Media Server relays the user credentials to the Ocularis Base. The Ocularis Base then authenticates the user and initiates a permissioned video stream between the appropriate recorder and the Ocularis Media Server. At that point, the video stream is point to point between the Ocularis Media Server and the recorder. The Ocularis Media Server provides the appropriate video stream to the client to best utilize the bandwidth and resources available to the individual clients (including 3G/4G networks).

https://onssi.com/downloads/product_documentation/5.5/Ocularis5_SpecSheet_ULT_v5.5.pdf

20.   The receiving device (e.g., smartphone with mobile app) has a second network component (e.g., Wi-Fi module within the smartphone). The second network component is structured to receive the at least one digital photographic image (e.g., images captured by the camera) from the capturing device via the wireless network (e.g., live streaming over a 3G/4G/Wi-Fi). Certain aspects of this element are illustrated in the screen shots below, and/or

the screen shots provided in connection with other elements discussed herein.

Key Features:
· View live or recorded video from your Ocularis system on your mobile device
· Control PTZ cameras directly from Ocularis 5 Mobile including the use of presets

https://itunes.apple.com/us/app/ocularis-5-mobile/id1155946752?mt=8

When an Ocularis user logs in with Ocularis 5 Web, they are directly connected to the Ocularis Media Server. The Ocularis Media Server relays the user credentials to the Ocularis Base. The Ocularis Base then authenticates the user and initiates a permissioned video stream between the appropriate recorder and the Ocularis Media Server. At that point, the video stream is point to point between the Ocularis Media Server and the recorder. The Ocularis Media Server provides the appropriate video stream to the client to best utilize the bandwidth and resources available to the individual clients (including 3G/4G networks).

https://onssi.com/downloads/product_documentation/5.5/Ocularis5_SpecSheet_ULT_v5.5.pdf

https://itunes.apple.com/us/app/ocularis-5-mobile/id1155946752?mt=8

21.   The capturing device and the receiving device are disposed in a selectively paired relationship with one another. The camera and the mobile device having the mobile app are both connected via the wireless network to enable the mobile device to receive and live stream images transmitted by the camera (as selected by the mobile device). Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

When an Ocularis user logs in with Ocularis 5 Web, they are directly connected to the Ocularis Media Server. The Ocularis Media Server relays the user credentials to the Ocularis Base. The Ocularis Base then authenticates the user and initiates a permissioned video stream between the appropriate recorder and the Ocularis Media Server. At that point, the video stream is point to point between the Ocularis Media Server and the recorder. The Ocularis Media Server provides the appropriate video stream to the client to best utilize the bandwidth and resources available to the individual clients (including 3G/4G networks).

https://onssi.com/downloads/product_documentation/5.4/Ocularis_Installation_and_Licensing_Guide.pdf

22.   The selectively paired relationship is at least partially based on the capturing device and the receiving device being cooperatively associated with at least one common pre-defined pairing criterion. For example, the capturing device and receiving device are connected through a Wi-Fi or other wireless network and are associated with a single user account. The Ocularis 5 recorder and mobile app are connected via wireless network and both the devices are connected to each other through a unique Ocularis 5 account ID. Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

Ocularis Base authenticates the user credentials entered and provides the Ocularis Media Server with the information authorized to this user account. This includes which cameras streams and views are accessible to this user. After authentication is complete, the video stream travels from the recorder to the Ocularis Media Server and then to the Ocularis Web client.

https://onssi.com/downloads/product_documentation/5.4/Ocularis_Installation_and_Licensing_Guide.pdf

23.   The pre-defined pairing criterion is a geographic location of the capturing device. For example, the Product must be located at a geographic location within the signal range of the Wi-Fi network utilized by a user's smartphone in order to pair with said smartphone). Also, both the smartphone and a paired recording camera are associated with a user account that is tied to the location of the camera (e.g. the user's home). The user can access the location of the camera by entering the Ocularis 5 ID on web or application on mobile. Certain aspects of this element are illustrated in the screen shots below, and/or the screen shots provided in connection with other elements discussed herein.

Ocularis Base authenticates the user credentials entered and provides the Ocularis Media Server with the information authorized to this user account. This includes which cameras streams and views are accessible to this user. After authentication is complete, the video stream travels from the recorder to the Ocularis Media Server and then to the Ocularis Web client.

https://onssi.com/downloads/manuals/OcularisMediaServer/Ocularis%20Web%20Help.pdf

https://play.google.com/store/apps/details?id=com.prescienta.ocularismobile&hl=en
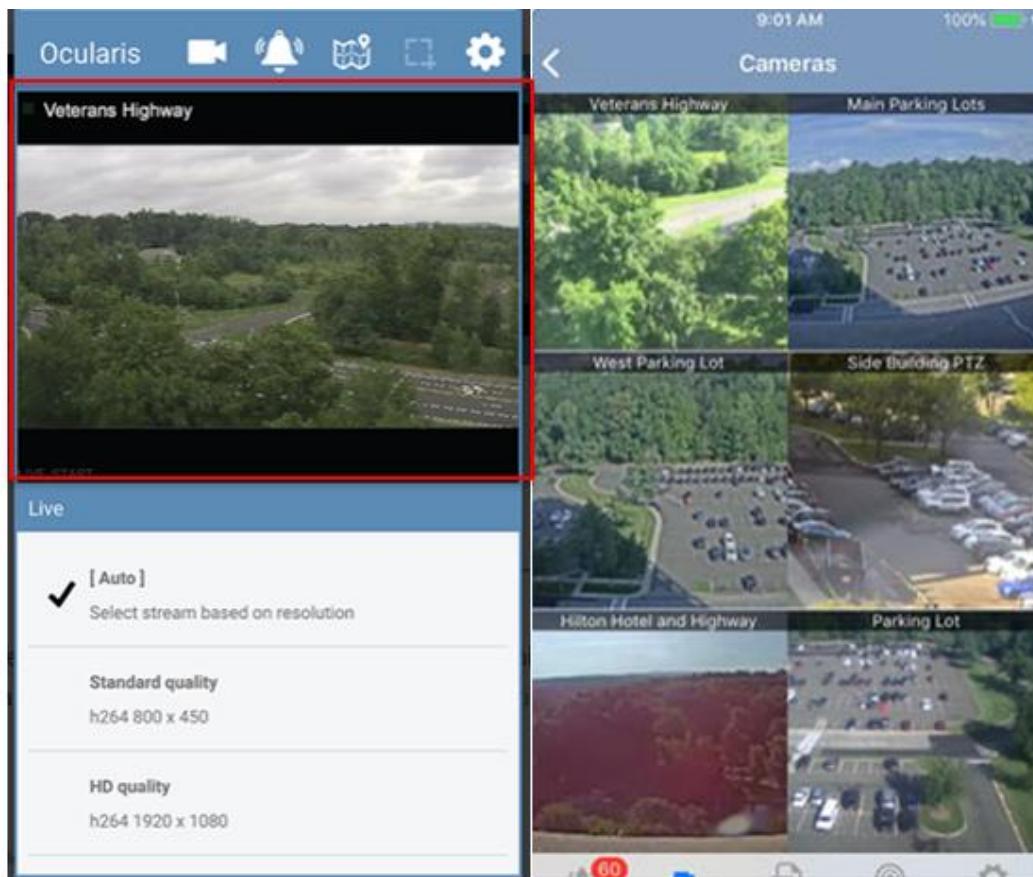
24.   Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

25.   Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

26.   Plaintiff is in compliance with 35 U.S.C. § 287.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a)   Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b)   Enter an Order Enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 8,204,437 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c)   Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d)   Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e)   Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: February 1, 2019   Respectfully submitted,

Coleman Watson
_____
Coleman W. Watson, Esq.
New York Bar No. 4850004
Florida Bar. No. 0087288
California Bar No. 266015
Georgia Bar No. 317133
Email: coleman@watsonllp.com
      docketing@watsonllp.com

WATSON LLP
189 S. Orange Avenue
Suite 810
Orlando, FL 32801
Telephone: 407.377.6634
Facsimile: 407.377.6688

Attorneys for Plaintiff

Jay Johnson, Esq., *Pro Hac Vice Pending*
Texas State Bar No. 24067322
KIZZIA JOHNSON, PLLC
1910 Pacific Ave., Suite 13000
Dallas, Texas 75201
(214) 451-0164
Fax: (214) 451-0165
jay@kjpllc.com